

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

HOUSE BILL 562  
RATIFIED BILL

AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CRAMERTON.

The General Assembly of North Carolina enacts:

**SECTION 1.** The Charter of the Town of Cramerton is revised and consolidated to read as follows:

"THE CHARTER OF THE TOWN OF CRAMERTON.

"ARTICLE I. INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation.** The Town of Cramerton shall continue to be a body politic and corporate under the name of "Town of Cramerton." The term "general law" is employed herein as defined in G.S. 160A-1.

"ARTICLE II. CORPORATE BOUNDARIES.

"Section 2.1. **Corporate Powers.** The Town shall have and continue to have all of the powers, duties, rights, privileges, and immunities conferred and imposed on towns and cities by the general law of North Carolina.

"Section 2.2. **Corporate Boundaries.** The corporate limits of the Town of Cramerton shall be and continue to be those existing at the time of the ratification of this revised Charter, and as the same may be altered from time to time in accordance with general law.

"ARTICLE III. GOVERNING BODY.

"Section 3.1. **Structuring of Governing Body.** The Board of Commissioners, hereinafter referred to as the "Board," and the Mayor shall be the governing body of the town.

"Section 3.2. **Board; Composition; Terms of Office.** The qualified voters of the entire Town shall elect the Board. The Board shall be composed of five members to serve staggered terms of four years and until their successors are elected and qualified. Two members of the Board shall be elected in 2013 and quadrennially thereafter for four-year terms, and three members shall be elected in 2015 and quadrennially thereafter for four-year terms.

"Section 3.3. **Mayor; Term of Office; Duties.** The Mayor shall be elected by the qualified voters of the Town in 2013 and quadrennially thereafter for a term of four years and shall serve until a successor is elected and qualified. The Mayor shall be the official head of the Town government and shall preside at meetings of the Board. The Mayor shall have the right to vote only when there is an equal division on any question or matter before the Board and shall exercise the powers and duties conferred by law and as directed by the Board.

"Section 3.4. **Mayor Pro Tempore.** In accordance with general law, the Board shall elect one of its members to act as Mayor Pro Tempore to perform the duties of the Mayor during the Mayor's absence or disability.

"Section 3.5. **Meetings.** In accordance with general law, the Board shall establish a suitable time and place for its regular meetings. Special and emergency meetings may be held as provided by general law.

"Section 3.6. **Quorum; Voting.** Official actions of the Board and all votes shall be taken in accordance with the applicable provisions of general law, particularly G.S. 160A-75. A quorum shall be a majority of the members elected to the Board present and voting.

"Section 3.7. **Compensation; Qualifications for Office; Vacancies.** The compensation, qualifications, and filling of vacancies of the Mayor and members of the Board shall be in accordance with general law, except that vacancies are filled for the remainder of the unexpired term.

"ARTICLE IV. ELECTIONS.



"Section 4.1. **Regular Municipal Elections.** Regular municipal elections shall be held in each odd-numbered year in accordance with the uniform municipal election laws of North Carolina. Elections shall be conducted on a nonpartisan basis and the results determined by a plurality as provided in G.S. 163-292.

"Section 4.2. **Special Elections and Referenda.** Special elections and referenda may be held only as provided by general law.

"ARTICLE V. ADMINISTRATION.

"Section 5.1. **Council-Manager Form.** The Town of Cramerton shall operate under a council-manager form of government as provided in Part 2 of Article 7 of Chapter 160A of the General Statutes.

"Section 5.2. **Town Attorney.** The Board shall appoint a Town Attorney licensed to practice law in North Carolina. It shall be the duty of the Town Attorney to represent the Town, advise Town officials, and perform other duties required by law or as the Board may direct.

"Section 5.3. **Town Clerk.** The Board shall appoint a Town Clerk to keep a journal of the proceedings of the Board, to maintain official records and documents, to give notice of meetings, and to perform such other clerk duties required by law or as the Board may direct.

"Section 5.4. **Tax Collector.** The Board shall appoint a Tax Collector to collect all taxes owed to the Town and perform those duties specified in G.S. 105-350 and such other duties as prescribed by law or assigned by the Board.

"Section 5.5. **Administrative Head Appointment.** The Town Manager may appoint other administration and department heads as permitted by Part 2 of Article 7 of Chapter 160A of the General Statutes, including assignment of administrative duties to the Town Clerk.

"Section 5.7. **Other Appointments.** The Town Manager may authorize other positions to be filled by appointment and organize the Town governance as deemed appropriate subject to requirements of general law.

"Section 5.8. **Residency.** Residency within the corporate limits of the Town is not required for any office under this Article."

**SECTION 2.** This act does not affect the terms of office of the current Mayor and Board of Commissioners of the Town of Cramerton.

**SECTION 3.** No action or proceeding by any nature (whether civil or criminal, judicial or administrative, or otherwise) pending at the effective date of this act by or against the Town of Cramerton or any of its departments or agencies shall be abated or otherwise affected by enactment of this act.

**SECTION 4.** The purpose of this act is to revise the Charter of the Town of Cramerton and to consolidate herein certain acts concerning the property, affairs, and government of the Town.

**SECTION 5.** Chapter 1061 of the Session Laws of 1967, having been consolidated into this act, is hereby repealed.

**SECTION 6.** This act does not affect the following:

- (1) S.L. 2005-45 (weeded lot ordinance).
- (2) G.S. 160A-58.1(b)(5) as it applies to the Town.
- (3) G.S. 20-171.24 as it applies to the Town.
- (4) S.L. 2009-429 (Occupancy Tax).
- (5) S.L. 2003-124 as amended by S.L. 2011-171 (regulation of utility vehicles).

**SECTION 7.** All existing ordinances and resolutions of the Town of Cramerton and all existing rules and regulations of departments or agencies of the Town of Cramerton not inconsistent with the provisions of this act shall continue in full force and effect until repealed, modified, or amended.

**SECTION 8.** If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

**SECTION 9.** This act is effective when it becomes law. Those members of the Board serving on the date of ratification of this Charter shall complete the remainder of their terms, and their positions shall be filled as the terms expire.

In the General Assembly read three times and ratified this the 20<sup>th</sup> day of June, 2013.

s/ Philip E. Berger  
President Pro Tempore of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives